

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**LOYALTY CONVERSION SYSTEMS
CORPORATION,**

Plaintiff,

V.

AMERICAN AIRLINES, INC., et al.

Defendant.

**Civil Action No. No. 2:13-cv-00655-JRG
(LEAD CASE)**

Jury Trial Demanded

**LOYALTY CONVERSION SYSTEMS
CORPORATION,**

Plaintiff,

V.

SPIRIT AIRLINES, INC., et al.

Defendant.

Civil Action No. No. 2:13-cv-00664-JRG
()

Jury Trial Demanded

DEFENDANT SPIRIT AIRLINES, INC.’S
RESPONSE TO MOTION FOR PRELIMINARY INJUNCTION

Defendant Spirit Airlines, Inc. (collectively, “Spirit”), submits this Response to Plaintiff’s Motion for Preliminary Injunction (Dkt. 91) filed on June 13, 2014 (“Motion”). Spirit agrees, along with all other Defendants, that Plaintiff’s Motion is improper and should be denied for at least the reasons set forth in the Response concurrently filed herewith by co-Defendants American Airlines, Inc., Delta Air Lines Inc., Frontier Airlines, Inc., United Airlines, Inc., and US Airways, Inc., Hawaiian Airlines, Inc., JetBlue Airways Corp., and Southwest Airlines Co.

Plaintiff seeks an order barring Defendants from bringing unfair-competition claims or compulsory counterclaims in another court. The sole basis for Plaintiff's Motion appears to be a letter sent from a co-Defendant, Southwest Airlines. This letter, however, has no association with Spirit, nor standing alone does it provide any justification for the relief Plaintiff seeks. Plaintiff has not shown, or even described, any threatened or actual threat from Defendants that would justify such a remedy. Thus, for at least this additional reason, Plaintiff's Motion should be denied.

/s/ Thomas C. Wright
Ross Cunningham (Co-Lead Counsel)
Texas Bar No. 24007062
Thomas C. Wright (Co-Lead Counsel)
Texas Bar No. 24028146
Alex J. Whitman
Texas Bar No. 24081210
ROSE WALKER, L.L.P.
3500 Maple Avenue, Suite 900
Dallas, Texas 75219
Phone: 214.752.8600
Facsimile 214.752.8700
rcunningham@rosewalker.com
twright@rosewalker.com
awhitman@rosewalker.com

**ATTORNEYS FOR DEFENDANT
SPIRIT AIRLINES, INC.**

CERTIFICATE OF SERVICE

In accordance with Federal Rule of Civil Procedure 5 and Local Rule CV-5(a), I hereby certify that all counsel of record are being served with a copy of this document via email on June 30, 2014.

/s/ Thomas C. Wright
Thomas C. Wright